

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0085

SENATE BILL NO. 28

Introduced by: The Committee on Commerce at the request of the Department of Revenue
and Regulation

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the coordination of
2 benefits and the rescission of individual health insurance.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-18-11.2 be repealed.

5 ~~58-18-11.2. No group health insurance policy or group subscriber contract issued by a~~
6 ~~nonprofit corporation delivered or issued for delivery in this state may contain a provision~~
7 ~~requiring coordination of benefits, integration of benefits or lessening of policy benefits because~~
8 ~~of the existence or availability of coverage under an individual health insurance policy or~~
9 ~~individual subscriber contract issued by a nonprofit corporation.~~

10 ~~An individual health insurance policy or individual subscriber contract issued by a nonprofit~~
11 ~~corporation may be rescinded within its contestable period for material misrepresentation if the~~
12 ~~full premium is refunded.~~

13 ~~This section applies to policies issued or renewed after July 1, 1981.~~

